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U.S. DISTRICT COURT E.D.N.Y.

★ SEP 21 2010 ★

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

HILDA L. SOLIS, Secretary of Labor,
United States Department of Labor

Plaintiff,

v.

Raj & Raj Realty, Ltd., a Corporation,
d/b/a H. R. Singletons
and Harendra V. Singh, Individually and as President

Defendants

Civil Action

File No.

**CONSENT
JUDGMENT**

Plaintiff, (the Secretary), has filed her complaint and defendants appeared by Counsel and have waived any defense which they may have and hereby agree to the entry of this Judgment without contest. Defendants acknowledge their responsibilities pursuant to this Judgment, and acknowledge that they will be subject to sanctions in contempt of this Court if they fail to comply with the provisions of this Judgment. It is, therefore, upon motion of the attorneys for the Secretary and for good cause shown:

I. ORDERED, ADJUDGED, AND DECREED that defendants Raj & Raj Realty, Ltd. d/b/a H. R. Singletons and Harendra V. Singh, Individually and as President, their officers, agents, employees, successors, and all persons acting or claiming to act in their behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of sections 7, 11(c), 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended, (29 U.S.C. Section 201 et seq.), (the Act), in any of the following manners:

(A) Defendants shall not, contrary to Section 7 of the Act, employ any of their employees in any workweek who are employed in an enterprise engaged in commerce, within the meaning of the Act, for workweeks longer than the hours now, or which in the future

MOVANT'S COUNSEL IS DIRECTED TO SERVE A COPY
OF THIS ORDER ON ALL PARTIES UPON RECEIPT,

become, applicable under Sections 7 and 15(a)(2) of the Act, unless the employees receive compensation for their employment in excess of the prescribed hours at rates not less than one and one-half times the employees' regular rates.

(B) Defendants shall not fail to make, keep, and preserve adequate records of their employees and of the wages, hours, and other conditions and practices of employment maintained by them as prescribed by the Regulations issued pursuant to Section 11(c) of the Act and found at 29 CFR Part 516.

Further, the Court finding, as agreed by Defendants that unpaid Overtime compensation is to be paid certain employees in the amount of \$88,010.32 plus \$220.00 in interest according to Exhibit A attached, it is:

II. ORDERED, ADJUDGED, AND DECREED that the defendants Raj & Raj Realty, Ltd. d/b/a H. R. Singletons and Harendra V. Singh, Individually and as President, be restrained from withholding the payment of the \$88,010.32 in Overtime compensation plus \$220.00 in interest to the employees listed in Exhibit A, and be directed to make payment of the said compensation as specified below.

Defendants shall pay \$88,010.32 in Overtime compensation plus \$220.00 in interest to the employees listed on the attached Exhibit A on or before 01/01/2011. Payment of the aforesaid sum shall be made in monthly installments in accordance with the schedule shown in Exhibit B attached hereto.

Defendants shall pay the back pay by delivering certified checks, bank checks or money

orders made payable to "Wage and Hour-U.S. Labor", mailed to:

U.S. Department of Labor
Wage Hour Division
170 S. Independence Mall West, Suite 859 West
Philadelphia, PA 19106-3317
ATT: Rita Gahagen, CASE ID #1561720

III. In addition, a copy of such payment shall be mailed to:

U.S. Department of Labor
Wage and Hour Division
1400 Old Country Road, Suite 410
Westbury, NY 11590-5119
ATT: Richard A. Mormile, Assistant Director
CASE ID #1561720

; and it is further

IV. ORDERED that, on or before 02/01/2011, the defendants shall pay a Fair Labor Standards Civil Money Penalty in a separate certified check of \$17,853.83 (\$17,765.00 plus \$88.83) made payable to "Wage and Hour-U.S. Labor" and mailed to:

U.S. Department of Labor
Wage Hour Division
170 S. Independence Mall West, Suite 859 West
Philadelphia, PA 19106-3317
CASE ID #1561720

as set forth in Exhibit B; In additional, a copy of such payment shall be mailed to:

U.S. Department of Labor
Wage and Hour Division
1400 Old Country Road, Suite 410
Westbury, NY 11590-5119
ATT: Richard A. Mormile, Assistant Director
CASE ID #1561720

and it is further

V. ORDERED that the Secretary shall distribute the defendants' payment of back wage compensation plus interest to the employees, or to their estates. Any sums not distributed to the

named employees, or to their personal representatives because of inability to locate the proper persons or because of such persons' refusal to accept such sums, shall be deposited by Plaintiff with the Clerk of this Court who shall deposit such money with the Treasurer of the United States pursuant to 28 U.S.C. §§2041 and 2042. Neither defendants nor any one on their behalf shall directly or indirectly solicit or accept the return or refusal of any sums paid under this Judgment.


Defendants shall make available to plaintiff the social security number and last known address of each employee or former employee listed in Exhibit A of this judgment.

VI. ORDERED that if the defendants fail to make an installment payment on Exhibit B without making up the arrearage within two weeks after notice to defendants, the entire balance shall become due and payable immediately; and it is further

VII. ORDERED, ADJUDGED AND DECREED that neither the commencement of this action nor the provisions of this consent judgment shall in any way affect, determine, or prejudice any and all legal rights of any employees of defendants not listed in Exhibit A, be they current or former employees, to file any action against Defendant under section 16(b) of the Act or likewise for any current or former employee to file any action against Defendant under section 16(b) of the Act for any violations alleged to have occurred after 01/16/2010.

STATE OF NEW YORK)
 :SS:
COUNTY OF Suffolk)

On the 1st day of September 2010 before me personally appeared Harendra V. Singh to
me known and known to me to be the individual described in and who executed the foregoing
instrument and he duly acknowledged to me that he executed the same.



NOTARY PUBLIC
GIGI MORALES
Notary Public, State of New York
No. 4975417 Qualified in Suffolk County
Commission Expires May 18, 2011

EXHIBIT A

Raj & Raj Realty, Ltd. d/b/a H. R. Singletons
Case ID 1561720

First Name	MI	Last Name	Principal	Interest	Gross Amount Due
Abel		Garcia	\$545.64	\$2.27	\$547.91
Alexander		Canales	\$111.38	\$0.46	\$111.84
Alfonso		Valles	\$3,659.06	\$11.17	\$3,670.23
Arnaldo		Cid	\$195.00	\$0.81	\$195.81
Christopher		Wheeler	\$1,351.01	\$5.63	\$1,356.64
Elmer		Contreras	\$225.01	\$0.94	\$225.95
Esvin		Alvizures	\$2,020.02	\$1.66	\$2,021.70
Freddy		Pereira	\$7,581.80	\$6.32	\$7,587.92
Fredys		Maldonado	\$9,276.35	\$17.34	\$9,293.69
Gilberto		Santos	\$83.05	\$0.35	\$83.40
Gilberto		Velasquez	\$3,121.35	\$10.40	\$3,131.75
Jaime		Dubon	\$1,599.64	\$1.33	\$1,600.97
Jony		Riberali	\$362.50	\$1.51	\$364.01
Jose		Chevez	\$3,008.60	\$4.04	\$3,012.64
Jose		Guevara	\$2,076.12	\$8.65	\$2,084.77
Jose		Gutierrez	\$1,608.16	\$6.69	\$1,612.85
Jose		Santos	\$11,222.42	\$28.06	\$11,250.48
Jose		Velasquez	\$7,497.54	\$24.99	\$7,522.53
Jose		Yanez	\$3,735.36	\$12.45	\$3,747.81
Juan		Maldonado	\$93.12	\$0.39	\$93.51
Juan		Vindel	\$332.00	\$1.38	\$333.38
Leonel		El Cid	\$8,746.92	\$14.58	\$8,761.60
Marlon		Cano	\$850.12	\$3.64	\$853.66
Nick		O'Brian	\$243.75	\$1.02	\$244.77
Omar		Walner	\$112.63	\$0.47	\$113.10
Oscar		Moreno	\$688.71	\$2.87	\$691.58
Oseas		Sandoval	\$636.75	\$2.65	\$639.40
Osmani		Sandoval	\$377.42	\$1.57	\$378.99
Ricardo		Anaya	\$24.75	\$0.10	\$24.85
Rodimiro		Gonzalez	\$5,227.43	\$4.36	\$5,231.79
Salvador		Lopez	\$1,195.85	\$4.98	\$1,200.83
Santiago		Vargas	\$318.50	\$1.33	\$319.83
Santos		Avilas	\$1,175.84	\$4.90	\$1,180.74
Santos		Morales	\$883.51	\$2.21	\$885.72
Santos		Reyes	\$2,008.33	\$5.02	\$2,013.35
Sean		Cambell	\$53.84	\$0.22	\$54.06
Walter		Maldonado	\$665.40	\$2.77	\$668.17
Wilmar		Alvizures	\$5,097.64	\$20.55	\$5,118.19
Total:			\$88,010.32	\$220.00	\$88,230.32

EXHIBIT A

EXHIBIT B

Raj & Raj Realty, Ltd. d/b/a H. R. Singletons
Case ID 1561720

<u>Payment No.</u>	<u>Date Due</u>	<u>Amount Due</u>	<u>Interest Due</u>	<u>Total Due</u>
1	09/01/2010	\$17,602.06	\$16.20	\$17,618.26
2	10/01/2010	\$17,602.06	\$31.57	\$17,633.63
3	11/01/2010	\$17,602.06	\$46.32	\$17,648.38
4	12/01/2010	\$17,602.06	\$66.85	\$17,668.91
5	01/01/2011	\$17,602.08	\$59.06	\$17,661.14
	Totals:	\$88,010.32	\$220.00	\$88,230.32
6	02/01/2011	\$17,765.00	\$88.83	\$17,853.83 **

****Civil Monetary Penalty**

EXHIBIT B